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January 3, 2005

Clerk's Office
U.S. District Court
John Joseph Moakley Courthouse
One Courthouse Way
Boston, MA 02210

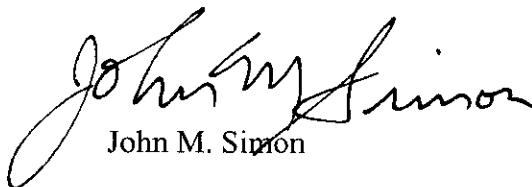
Re: Ann Mitchell v. Hallmark Health System, Inc./Lawrence
Memorial Hospital and Julie Chase Shaughnessy
Docket No. 04-cv-12169-REK

Dear Sir/Madam:

I am enclosing the last page – page 12 – inadvertently not attached to the Memorandum of Law in Support of Defendants' Motion to Dismiss Amended Complaint Counts II Through X, which was filed in the above-referenced matter on December 30, 2004. Please attach the enclosed page 12 to the docketed Memorandum so that it is complete.

Please call me with any questions or concerns. Thank you for your attention to this matter.

Sincerely,


John M. Simon

Enclosure

boilerplate (Amended Complaint at ¶¶ 103-106), the Plaintiff has not alleged one single fact showing that the Defendants were negligent – that is, the Defendants owed her some specified duty that they breached, that the Plaintiff suffered legitimate emotional distress or that she suffered any identifiable physical harm. Count X should be dismissed.

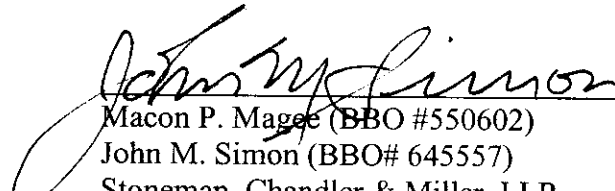
CONCLUSION

For the foregoing reasons, the Defendants respectfully request that the Court dismiss Counts II through and X of the Plaintiff's Amended Complaint.

Respectfully submitted,

HALLMARK HEALTH SYSTEM, INC./
LAWRENCE MEMORIAL HOSPITAL and
JULIE CHASE SHAUGHNESSY

By their attorneys,


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Dated: December 30, 2004

Certificate of Service

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail (~~by hand~~) on 12-30-04.

